

OGC Has Reviewed

LS 6-1676a

29 August 1956

MEMORANDUM FOR: Chief, Finance Division

SUBJECT : Per Diem - Travel Between United States and Foreign Localities

1. Your memorandum of 15 August 1956, requested an interpretation of section 6.2(C) of the Standardized Government Travel Regulations. Those Regulations were promulgated by Bureau of the Budget Circular No. A-7, revised, dated 22 June 1956 and effective 1 August 1956. The section in question reads as follows:

"A per diem rate of \$6.00 is prescribed for such travel by airplane, train or boat--enroute to or from a locality beyond the limits of the Continental United States, or between such localities, including stopovers of less than 6 hours:---."

2. Your memorandum raises two specific questions in interpreting the cited section of the Standardized Government Travel Regulations. Those questions are as follows:

- "(a) Does the per diem rate of \$6.00 apply to train travel performed in the United States when such travel is a portion of travel extending beyond the limits of the continental United States?
- "(b) If the answer to 2.(a) is in the affirmative which rate (\$6.00 or \$12.00) should be considered the maximum rate when the Travel Order authorizes 'maximum per diem' without specifying a set rate in view of the decision rendered in B-104965, 31 Comptroller General 711"

3. The language of section 6.2(C) of the revised Regulations is significantly different than that in paragraph 45 of the rescinded Regulations, which paragraph corresponded to 6.2(C). However, the Bureau of the Budget (Mr. Hale, code 146, ext. 2141) advises us that this section has the same effect as in the rescinded regulations except for the addition of train and boat travel. Therefore your questions may be answered in accordance with the decisions rendered in 29 Comp. Gen. 202, 30 id. 78, 31 id. 71. That is, any part of a trip to or from a foreign locality is foreign travel and when the Travel Order

authorizes "maximum per diem" the rate for airplane, train or boat travel is \$6.00. However, it is within administrative discretion to prescribe the domestic rate for that portion of the travel occurring within the United States.

4. Paragraph 3 of General Counsel's opinion no. 56-1, dated 4 January 1956, is modified accordingly.

STATINTL

Office of General Counsel

OGC/JDM:jcf

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